

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE TESLA, INC. SECURITIES  
LITIGATION

Case No. [18-cv-04865-EMC](#)

**ORDER GRANTING IN PART  
DEFENDANTS' EMERGENCY  
MOTION TO COMPEL  
SUPPLEMENTAL EXPERT REPORTS  
AND DEPOSITIONS**

Docket No. 515

By December 27, 2022, Plaintiff shall file a supplemental report regarding Professor Heston's use of actual stock option market data to derive "actual" implied volatilities and construct the "actual" option price curve. The supplemental report shall include Professor Heston's updated calculations as referenced in the Court's Final Pretrial Order. *See* Docket No. 508 at 36–37. Further, Professor Heston shall be available for a 1 hour video deposition limited to the topics set forth in his supplemental report; this deposition shall take place prior to the Second Pretrial Conference on January 4, 2023. Defendants shall not file a further *Daubert* motion without leave of court as the Court has already set forth its analysis of this issue. Any request for leave shall be made orally at the Second Pretrial Conference on January 4, 2023. The trial date of January 17, 2023 will not be moved.

This order disposes of Docket No. 515.

**IT IS SO ORDERED.**

Dated: December 22, 2022



EDWARD M. CHEN  
United States District Judge